



STATE OF MICHIGAN

DEPARTMENT OF CORRECTIONS  
LANSING

JENNIFER M. GRANHOLM  
GOVERNOR

PATRICIA L. CARUSO  
DIRECTOR

**DIRECTOR'S OFFICE MEMORANDUM 2007 - 3**

**EFFECTIVE: Immediately**

**DATE:** January 1, 2007

**TO:** Executive Policy Team  
Administrative Management Team  
Wardens

**FROM:** Patricia L. Caruso, Director

**SUBJECT:** State Office of Administrative Hearings and Rules

**SUPERSEDES DOM 2006 - 9 (effective 01/01/06)**

Executive Order 2005-1, which took effect March 27, 2005, created the State Office of Administrative Hearings and Rules (SOAHR) as a Type I agency in the Department of Labor and Economic Growth. SOAHR is responsible for conducting identified administrative hearings on behalf of almost all state agencies. The hearings conducted by SOAHR include those previously conducted by this Department through the former Office of Policy and Hearings (i.e., major misconducts, visitor restrictions, excess legal property, risk classification, notices of intent to classify to segregation, special designations and homosexual predator designations) as well as formal parole violation hearings. It does not include informal hearings conducted by facility staff, including preliminary parole violation hearings conducted by Field Operations Administration, or parole interviews conducted by the Parole Board. It also does not include administrative appeals of hearing decisions, which are heard by the Office of Legal Affairs as provided for by policy. The Administrator of the Office of Legal Affairs serves as liaison with SOAHR on matters involving hearings conducted for the Department; any issues or concerns regarding hearings conducted by SOAHR for the Department shall be referred to the Administrator of the Office of Legal Affairs for resolution.

The transfer of the hearing process and hearing officers to SOAHR will affect how lawsuits and grievances involving hearing officers are processed by this Department. Any lawsuits received for service on hearing officers affected by the executive order are to be returned to the sender with an explanation that service cannot be accepted because the defendant is no longer employed by the Department. Prisoner grievances filed regarding hearing officers affected by the executive order, are to be rejected by the grievance coordinator with the explanation that the Department does not have authority to resolve these issues due to the transfer of this authority to SOAHR under Executive Order 2005-1; however, grievances regarding decisions made in the hearings conducted by the hearing officers are non-grievable and are to be rejected for that reason.

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